

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3277 of 2017

R. K. Sahu S/o Late Shri Rudra Prasad Sahu Aged About 62 Years Training Officer, Industrial Training Institute, A R A N G District - Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Technical Education, Science & Technology, Manpower Planning, Naya Mantralaya Bhawan, N A Y A R A I P U R - 492002
2. The Director Directorate Of Employment And Training, Block No. 4, Indravati Bhawan, N A Y A R A I P U R - 492002

---- Respondents

For Petitioner	:	Mr. B.P. Rao, Advocate
For State	:	Mr. Satish Gupta, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

25/07/2017

Heard.

1. This petition has been filed by the petitioner for consideration of his pending representations dated 24.04.2017 and 06.07.2017 for promotion to the next higher post of Principal (Class- II post). It is the case of the petitioner that even though the petitioner was fully eligible and meritorious to earn promotion to the next higher post of Principal (Class-II), in the year 2014, when occasion arose to promote the training officer, the petitioner was not promoted for no good reasons and he suffered supersession as number of juniors were promoted. It is submitted that at the time when the petitioner was due for promotion in the year 2014, there was no departmental enquiry pending nor any adverse remarks were communicated to the petitioner nor any major or minor penalty imposed on him.
2. It is found that though the petitioner suffered supersession in the year 2014, he did not take recourse to any remedy under the law. There is nothing on record to show that any representation was preferred ventilating grievance against supersession. For the first time in the month of April 2017, the petitioner represented the respondents for consideration of his case for

promotion, presumably for the reason that the petitioner is going to retire within a short time.

3. As the Rules governing promotion in the service of the State known as 'The Chhattisgarh Public Service (Promotion) Rules, 2003' obliges the authorities to hold DPC every year if there is vacancy available for being filled up to consider the officers, who are within the zone of consideration. Therefore, in these circumstances, the limited direction which can be issued in this present case is to consider the petitioner's case for promotion according to the Rules of 2003 subject to availability of the vacancy of the post of Principal. It is to be observed that under the Rules of 2003 the DPC has to be held every year, that means in the year 2017 also DPC will be required to be convened to consider eligible officers for promotion provided there is vacancy on the post of Principal.
4. Accordingly, this petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E